

AMENDED IN SENATE JANUARY 21, 1998

AMENDED IN SENATE JANUARY 5, 1998

AMENDED IN SENATE APRIL 15, 1997

AMENDED IN SENATE APRIL 3, 1997

SENATE BILL

No. 704

Introduced by Senator Polanco

February 25, 1997

An act to amend Section 7160 of the Business and Professions Code, relating to contracting.

LEGISLATIVE COUNSEL'S DIGEST

SB 704, as amended, Polanco. Contracting.

Existing law provides that any person who is induced to contract for a work of improvement in reliance on false or fraudulent representations may sue and recover a penalty of \$500 in addition to attorney's fees and the value of damages sustained as a result of those misrepresentations.

This bill would allow a penalty ~~equal to~~ of \$500 or 3 times the total contract price, *whichever is greater*, in addition to attorney's fees and damages.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 7160 of the Business and
- 2 Professions Code is amended to read:

1 7160. Any person who is induced to contract for a
2 work of improvement, including, but not limited to, a
3 home improvement, in reliance on false or fraudulent
4 representations or false statements knowingly made, may
5 sue and recover from the contractor or solicitor a penalty
6 ~~equal to~~ *of five hundred dollars (\$500) or three times the*
7 *total contract price, whichever is greater;* plus reasonable
8 attorney's fees, in addition to any damages sustained by
9 him or her by reason of those statements or
10 representations made by the contractor or solicitor.

